

1 Plaintiffs the Estate of B.H., John Herndon, J.H., a minor, and T.H., a minor (“Plaintiffs”),
 2 and Defendant Netflix, Inc. (“Netflix” or “Defendant”) (collectively referred to herein as “the
 3 Parties”), by and through their respective counsel, submit the following stipulation:

4 1. WHEREAS, on August 25, 2021, Netflix removed this case from the Superior
 5 Court of the State of California for the County of Santa Clara to the United States District Court
 6 for the Northern District of California, ECF No. 3;

7 2. WHEREAS, on September 1, 2021, Defendant filed a Special Motion to Strike
 8 Pursuant to California Anti-SLAPP Statute, Cal. Code Civ. Proc. § 425.16, or in the alternative, a
 9 Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (“Motion to Strike / Dismiss Initial
 10 Complaint”);

11 3. WHEREAS, on September 22, 2021, Plaintiffs filed a First Amended Complaint
 12 (“FAC”), ECF No. 22;

13 4. WHEREAS, on October 6, 2021, Defendant filed a Special Motion to Strike the
 14 FAC Pursuant to California Anti-SLAPP Statute, Cal. Code Civ. Proc. § 425.16, or in the
 15 alternative, a Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (“Motion to Strike / Dismiss
 16 the FAC”), ECF No. 28;

17 5. WHEREAS, after a hearing on January 10, 2022, the Court issued an order
 18 granting Defendant’s Motion to Strike / Dismiss the FAC, ECF No. 74;

19 6. WHEREAS, the Court entered an order on January 19, 2022 dismissing the case
 20 with prejudice and directed the clerk to close the case, ECF No. 76;

21 7. WHEREAS, the 14-day deadline for a motion under Rule 54(d) is February 2, 2022
 22 (the “Post Judgment Deadline”), unless extended by rule or a Court order;

23 8. WHEREAS, given Plaintiffs’ intention to appeal the Court’s order granting
 24 Defendant’s Motion to Strike / Dismiss the FAC, the Parties stipulate to extend the Post Judgment
 25 Deadline in order to conserve the court’s and the Parties’ resources until the conclusion of the
 26 appellate process;

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1 ACCORDINGLY, IT IS HEREBY STIPULATED THAT: Defendant's deadline to file a
2 motion under Rule 54 is continued from February 2, 2022, until 14 days after the Ninth Circuit's
3 mandate is issued post-appeal.

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6 DATED: January 28, 2022 MUNGER, TOLLES & OLSON LLP

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8 By: /s/ Blanca F. Young
9 BLANCA F. YOUNG
10 Attorneys for NETFLIX, Inc.

11 DATED: January 28, 2022 DIGITAL JUSTICE FOUNDATION, et al.

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14 By: /s/ Rory Stevens
15 RORY STEVENS
16 Attorneys for Plaintiffs THE ESTATE OF B.H., JOHN
17 HERNDON, J.H., a minor, T.H., a minor

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ATTESTATION

I hereby certify that authorization for the filing of this Joint Stipulation has been obtained from counsel for all parties.

By: /s/ Blanca F. Young
BLANCA F. YOUNG